

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: ZALEVSKY4

In re Application of:) Conf. No.: 2605
Zeev ZALEVSKY et al)
Appln. No.: 10/565,623) Art Unit:
Filed:) Examiner:
For: METHOD FOR PRODUCTION OF) Washington, D.C.
MICRO-OPTICS STRUCTURES)
)

DECLARATION OF DANIEL OLEISKI

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop Amendments
401 Dulany Street
Alexandria, VA 22314

Sir:

I, the undersigned Daniel Oleiski, hereby declare
and state as follows:

I am the Chief Executive Officer (CEO) of Ex-Play LTD., a corporation having a principle place of business at Kibbutz Shfaim, Israel (hereinafter "Ex-Play").

After Ex-Play had made inquiries of the inventors of the above identified application, as to their willingness to sign the appropriate declaration and assignment documents for entering the U.S. National Phase, I received certain communications therefrom. Submitted herewith as Exhibit H is

a letter dated June 29, 2006, from Izhar Eyal. The translation thereof is submitted as Exhibit I. It can be seen from this letter that Mr. Eyal denies having been an employee of Ex-Play when he contributed to the present invention and has requested that we not refer any patent right related matters to him. I have understood this as being a refusal to execute any patent right related matters.

It is my understanding that our patent attorney, Svetlana Shtadler, sent Mr. Eyal a letter dated October 24, 2006, forwarding to him a copy of the international publication and a declaration form to be executed by him. I understand that Mr. Eyal collected this letter from the Post Office, as evidenced by the return receipt postcard received, but that he did not return the executed declaration. This is consistent with my understanding that he refuses to execute such a document.

Ex-Play also received a letter dated July 2, 2006, from inventor Yuval Kapellner, a copy of which is submitted as Exhibit J. A translation of this letter is attached hereto as Exhibit K. While this letter is specifically directed to a related application, other than the above identified application, it is relevant to Mr. Kapellner's state of mind that he refuses to sign papers until he is satisfied with the payment he believes is due to him by Ex-Play. It is my

understanding that this refusal also applies to the above identified application.

It is my understanding that our patent attorney, Svetlana Shtadler, also sent Mr. Kapellner a letter dated October 24, 2006, forwarding to him a copy of the international publication and a declaration form to be executed by him. I understand that Mr. Kapellner collected this letter from the Post Office, as evidenced by the return receipt postcard received, but that he did not return the executed declaration. This is consistent with my understanding that he refuses to execute such a document.

It is further my understanding that on October 24, 2006, our patent attorney, Svetlana Shtadler, sent a similar letter to inventor Arkady Rudnitsky. It is my understanding that he collected this letter from the Post Office, but never returned the executed declaration. From these actions I understand that he also refuses to sign the declaration, but I have no direct knowledge as to his reasons for refusing to sign.

I am familiar with both the English and Hebrew languages and I can therefore state that the translations referred to above are true and accurate translations of the Hebrew language original letters that are also referred to hereinabove.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dec 5th, 2006
Date

Daniel Oleksi